

PACIFIC JUSTICE INSTITUTE
Kevin T. Snider
Matthew B. McReynolds
P.O. Box 276600
Sacramento, CA 95827
Tel. (916) 857-6900
Fax (916) 857-6902
ksnider@pji.org
mattmcreynolds@pji.org

MICHAEL BRUNO (SBN: 166805)
ALYSON CABRERA (SBN: 222717)
MANA KOLEINI (SBN: 304381)
PAMELA NG (SBN: 273036)
GORDON REES SCULLY MANSUKHANI, LLP
315 Pacific Avenue
San Francisco, CA 94111
Telephone: (415) 986-5900
Facsimile: (415) 986-8054
mbruno@grsm.com
acabrera@grsm.com
mkoleini@grsm.com
png@grsm.com

Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SELINA KEENE,)

Frantini,
VS

) LEAD CASE NO : 22-cv-01587-JSW

CITY AND COUNTY OF SAN FRANCISCO et al.

Defendants.

2

JOSE GUARDADO et al.

Plaintiff

CASE NO : 22-cv-04319-JSW

CITY AND COUNTY OF SAN FRANCISCO et al.

Defendants.

**STIPULATION AND [PROPOSED]
ORDER FOR DISMISSAL OF CLASS
ACTION ALLEGATIONS WITHOUT
PREJUDICE AND WITHOUT NOTICE
TO PUTATIVE CLASS**

1 WHEREAS, Plaintiffs filed their action in this Court as a putative class action on July 26,
2 2022, Case No. 22-cv-04319 (the “Guardado Action”);

3 WHEREAS, Plaintiffs filed a First Amended Complaint on September 20, 2023;

4 WHEREAS, Plaintiffs have not filed a class certification motion and the Guardado
5 Action has not been certified pursuant to Federal Rule of Civil Procedure Rule 23;

6 IT IS HEREBY STIPULATED by and between Plaintiffs Jose Guardado, Melissa
7 Borzoni, Andrew Maloney, Rommel Taylor, Penni Eigster, Tara Amado, Andrew Bologna, and
8 Aaron Maxwell, (“Plaintiffs”) and Defendant The City and County of San Francisco (“CCSF”),
9 (together as “the Parties”), by and through their respective counsel, as follows:

10 1. Plaintiffs agree to dismiss without prejudice all class action allegations in the
11 above action pursuant to Fed. R. Civ. P. 23 (e) and 41. All individual allegations on behalf of
12 Plaintiffs are to remain as set forth in the Complaint.

13 2. Neither the lead Plaintiffs nor their Counsel have received or will receive any
14 consideration for this stipulated dismissal.

15 3. Each party shall bear their own attorney fees and costs with respect to this
16 dismissal of the class allegations.

17 IT IS HEREBY STIPULATED by the Parties, that the Court issue an order holding that
18 the factors identified in *Diaz v. Trust Territory of the Pacific Islands*, 876 F.2d 1401 (9th Cir.,
19 1989), do not weigh in favor of requiring notice to the putative class members in this case
20 because:

21 1. Plaintiffs and their counsel represent that the class allegations were not frivolous
22 and were not initially pled for the purpose of extracting a more favorable settlement.

23 2. CCSF has not promised Plaintiffs and their counsel a disproportionate recovery
24 on settlement of Plaintiffs’ individual actions in exchange for dismissal of the class allegations.
25 CCSF has not made any concessions to Plaintiffs or their attorneys in exchange for dismissal of
26 the class allegations.

1 3. Settlement of Plaintiffs' individual claims will not deplete CCSF of assets such
2 that CCSF would be financially unable to pay any meritorious claims of putative class members.

3 4. This action, including the class allegations, has not received any publicity that
4 would have caused putative class members to refrain from filing their own individual lawsuits.

5 IT IS SO STIPULATED.

6 Dated: September 15, 2025

PACIFIC JUSTICE INSTITUTE

8 By: /s/ Kevin T. Snider
9 Kevin T. Snider
10 Matthew B. McReynolds
11 Attorneys for Plaintiffs
12 JOSE GUARDADO, MELISSA
13 BORZONI, ANDREW MALONEY,
14 ROMMEL TAYLOR, PENNI
15 EIGSTER, TARA AMADO,
16 ANDREW BOLOGNA, AND AARON
17 MAXWELL

14 Dated: September 15, 2025

GORDON REES SCULLY MANSUKHANI, LLP

15 
16 By: Michael Bruno
17 Alyson Cabrera
18 Mana Koleini
19 Pamela Ng
20 Attorneys for Defendant
21 CITY AND COUNTY OF SAN
22 FRANCISCO

ORDER

On stipulation of the parties, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. All class action allegations in the above action are hereby dismissed without prejudice. All individual allegations on behalf of Plaintiffs are to remain as set forth in the operative First Amended Complaint.

2. No party shall be entitled to costs or attorneys fees because of this dismissal.

3. Based on the factors identified in *Diaz v. Trust Territory of the Pacific Islands*,
2d 1401 (9th Cir., 1989), the above dismissal of the class allegations may be made, and
is made, without notice to the putative class.

Date: September 16, 2025

The Honorable Jeffrey S. White